

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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In re:

Case No. 19-50389  
Chapter 7 Case

Rachel Lynne Shaugobay,

Debtor.

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Adversary No. 19-05016

Melissa Boyd,

Plaintiff,

**ANSWER**

v.

Rachel Lynne Shaugobay,

Defendant.

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Rachel Lynne Shaugobay (the “Defendant”) for her Answer to the Complaint filed by Melissa Boyd (the “Plaintiff”), states and alleges as follows:

1. Defendant denies each and every allegation, statement, and legal conclusion in Plaintiff’s Complaint, unless otherwise admitted in this answer, and as such, holds Plaintiff to her strict burden of proof.
2. In response to paragraphs 1-4, Defendant admits she is a resident of the State of Minnesota. Defendant admits she filed a voluntary petition for relief under Chapter 7 of Title 11 of the United States Code on May 10, 2019. Defendant properly appeared at her 11 U.S.C. § 341 meeting of creditors (Plaintiff chose not to appear), the Chapter 7 Trustee filed a Report of No Distribution, Defendant

received a discharge, and the case was closed on September 26, 2019.

3. In response to paragraph 5, Defendant is without sufficient information to admit or deny the allegation, and as such, denies the same.
4. In response to paragraphs 6-8, Defendant admits she discussed selling a vehicle to Plaintiff and Rodney Boyd Jr.; she received a single payment from Plaintiff and Rodney Boyd Jr.; and she gave possession of a vehicle to Plaintiff and Rodney Boyd Jr. temporarily.
5. In response to paragraph 9, Defendant denies this paragraph.
6. In response to paragraph 10, Defendant denies this paragraph.
7. In response to paragraph 11, Defendant admits she never transferred the title of a vehicle to Plaintiff.
8. In response to paragraphs 12-13, Defendant admits she repossessed a vehicle from Plaintiff and Rodney Boyd Jr., and due to the poor working condition of the vehicle and need for repairs, she later decided to junk the vehicle.
9. In response to paragraphs 14-15, Defendant admits there was a judgment entered against her on November 8, 2018, in the Mille Lacs Band of Ojibwe District of Nay Ah Sing. Defendant denies the matter was fully litigated, as she was not represented by counsel in the underlying judgment.
10. In response to paragraph 16, Defendant denies this paragraph.
11. In response to paragraphs 17-19, Defendant denies these paragraphs.
12. In response to paragraphs 20-21, Defendant denies these paragraphs.
13. In response to paragraphs 22-23, Defendant denies these paragraphs.

### AFFIRMATIVE DEFENSES

1. Defendant asserts she was never paid \$5,000.00 by Plaintiff, and thus never transferred the title on the vehicle in Plaintiff's Complaint.
2. Defendant asserts that she was not unjustly enriched, and that she would not have junked a vehicle, if the alleged repairs had actually been made to it.
3. Defendant asserts the affirmative defense of fraud.
4. Defendant asserts the affirmative defense of statute of frauds. Defendant demands Plaintiff to produce a valid written contract of their alleged agreement.
5. Defendant asserts the Plaintiff's Complaint fails to state a claim upon which relief can be granted.
6. Defendant asserts the affirmative defense of insufficient service of process. Defendant was not properly served until October 2, 2019, after her bankruptcy case was closed on September 26, 2019.
7. Defendant asserts Plaintiff's Complaint fails to join a required party, Rodney Boyd Jr., under Rule 19 of the Federal Rules of Civil Procedure. Rodney Boyd Jr. is a named Plaintiff and creditor in the underlying judgment which serves as the basis for this Complaint. He may be prejudiced if not joined to this action.

**WHEREFORE**, Defendant respectfully requests the Court's Order:

1. Dismissing Plaintiff's complaint with prejudice.
2. Requiring the Plaintiff to pay the Defendant's reasonable attorney fees and costs.
3. For such other and further relief as the Court deems equitable.

Dated: November 1, 2019

Respectfully submitted,

/s/ JAKE W. PEDEN - #0400315  
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